REMARKS

Claims 1-19 and 21-35 are pending in this application. In the Final Office Action mailed on May 12, 2005, the Examiner rejected claims 1-3, 7-9, 11, 12, 17-19, 22-24, 28-30 and 32-34 under 35 U.S.C. § 103(a) over U.S. Patent No. 5,890,136 to Kipp ("Kipp") in view of U.S. Patent No. 6,496,806 to Horwitz et al. ("Horwitz"); and rejected claims 4-6, 10, 13-16, 21, 25-27, 31 and 35 under 35 U.S.C. § 103(a) over Kipp in view of Horwitz and U.S. Patent No. 6,463,345 to Peachey-Kountz et al. ("Peachey-Kountz"). Applicants respectfully traverse the Examiner's rejections. Further examination and review in view of the remarks below are respectfully requested.

Applicants' Techniques

Applicants' techniques are directed to tracking orders at a unit level. One aspect of Applicants' techniques provides a unit order system that interfaces with an existing order processing system to track orders at the unit level. The order processing system provides an order database that typically includes an order record for each order and an item record for each item of the order. The unit order system provides a unit order database that includes a record for each unit of each item of each order in the order database. The unit order system periodically accesses the order database to identify new orders or changes to existing orders in order to update the unit order database to reflect the new, changed or canceled orders.

Cited References

Kipp

Kipp describes a method for ordering and purchasing articles from a remote location for pickup at an article pickup area at an automated store. A central computer receives a customer's purchase order and stores the purchase order in a database. Subsequently, during article pickup by the customer, the central computer verifies the order by checking the order database and the information on file for that order. If the customer order is verified, then the central computer enables a release mechanism for

the articles ordered to cause the articles to be rapidly dispensed into the retrieval basket, and thereafter transported to the article pickup area.

Horwitz

Horwitz describes a method for tracking a cluster of items using records stored in a central database. A tag configured to transmit a signal representing a tag ID is attached to each individual item. The central database contains records for individual items and records for clusters (i.e., pallet, crate, etc.) of items. For example, when several items have been grouped together on a pallet, the pallet ID and the tag IDs for each of the items is saved in the central database. The records in the database are then linked together within the database to enable the pallet ID to be determined from the tag IDs, and to enable the tag IDs to be determined from the pallet ID.

I. Rejections under 35 U.S.C. § 103

All of the claims stand rejected over Kipp in view of Horwitz or Horwitz and Peachey-Kountz. Applicants respectfully traverse these rejections.

All of the claims each recite, when status of an item of an order changes, setting a status in the record of the unit order database for the unit of the item of the order to reflect the changed status so that the status of each unit of each item of an order can be tracked separately. In rejecting the claims, the Examiner indicates that Horwitz' tracking each individual item of a cluster of items, where a record for each item is stored in a central database, and each record is linked through a cluster (abstract; col. 4, lines 40-57; col. 1, lines 1-20; col. 8, lines 17-24) corresponds to setting a status in the record of the unit order database for the unit of the item of the order to reflect the changed status so that the status of each unit of each item of an order can be tracked separately.

Applicants respectfully disagree. Horwitz does not disclose, suggest or teach setting a status in the record of the unit order database for the unit of the item of the order to reflect the changed status when the status of an item of an order changes so that the status of each unit of each item of an order can be tracked separately. According to Horwitz, when several of the items are grouped into a cluster, the tag ID

for each of the several items that are grouped into the cluster is stored in association with the cluster ID in a central database. (col. 6, lines 27-32). This allows an item to be tracked by linking its tag ID to the cluster or pallet ID in the central database. (col. 4, lines 44-46; col. 6, lines 27-32; col. 8, lines 16-24). This is in contrast to setting a status in the record of the unit order database for the unit of the item of the order to reflect the changed status when the status of an item of an order changes, as recited. Applicants find in Horwitz no such disclosure or suggestion.

In response to Applicants' argument that Horwitz does not disclose, suggest or teach setting a status in the record of the unit order database for the unit of the item of the order to reflect the changed status when the status of an item of an order changes, the Examiner states in the present Office Action that "applicant has argued that the status is not changed in the record" and that "Horwitz discloses that each item can be tracked, and that the tracking is recorded."

Applicants respectfully disagree. Horwitz does not disclose, suggest or teach setting a status in the record . . . for the unit of the item of the order to reflect the changed status. In Applicant's techniques, the status in the record for the unit of the item is set to reflect the changed status. In contrast, in Horwitz, the records of the tag IDs in the central database do not have a status setting for tracking the status of the item. According to Horwitz, the central database tracks a cluster of items through storage, processing, and shipping stages. (described at col. 10, line 58-col. 11, line 67, and shown in Figs. 6 and 7). In particular, the central database tracks the items by recording each item received (col. 11. lines 21-22), recording the identity of the truck that brought the cluster as well as the loading dock where the cluster was received (col. 11, lines 25-27), recording when the items were received, when they were stored and how long they spent in transit (col. 11, lines 29-31). Subsequently, the central database records which items have been removed from storage, that the storage location is now vacant and ready for use, the staging area where the items have been deposited, and also the times at which each of these events occurred. (col.. 11, lines 45-49). Although the central database in Horwitz tracks the items, there is no teaching or suggestion that

the central database does so by setting a status in the tag ID record. In contrast, it is clear that the aforementioned types of tracking information recorded by the central database does not lend itself to being maintained by simply setting a status in the tag ID record.

II. Conclusion

In view of the foregoing, Applicants respectfully submit that claims 1-19 and 21-35 are allowable and ask that this application be passed to allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-8000.

Respectfully submitted,
Perkins Coie LLP

Date:_____

Do Te Kim
Registration No. 46,231

Correspondence Address:
Customer No. 25096
Perkins Coie LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000